

REMARKS

Claims 1-12 are pending in this application. By this Amendment, claims 1, 5, 11 and 12 are amended. Claims 1 and 12 are amended as suggested by the Patent Office, claim 11 is amended to delete the “use” limitation, and claim 5 is amended to delete a “preferably” clause. No new matter is added.

I. Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 1-12 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. This rejection is respectfully traversed.

Claims 1 and 12 were rejected because the term “obtainable by” is allegedly indefinite and should be replaced with the term “obtained by.” Although Applicant disagrees that the term “obtainable by” is indefinite, in order to expedite the prosecution of this application, Applicant has amended claims 1 and 12 to recite “obtained by.”

Claims 1 and 12 were further alleged to be indefinite because claim 1 defines formula III as R^1NH_2 , while claim 12 defines formula III as R^1NH_2 . Solely to expedite the prosecution of the application, Applicants have amended claim 1 to recite that formula III is R^1NH_2 .

Claim 11 was rejected as allegedly being indefinite because it recites a use without any active steps. Claim 11 has been amended to recite a process.

Applicant submits that claims 1-12 are definite and comply with the requirement of 35 U.S.C. §112, second paragraph. For the foregoing reasons, reconsideration and withdrawal of the rejection are respectfully requested.

II. Rejection Under 35 U.S.C. §101

Claim 11 was rejected under 35 U.S.C. §101 as allegedly being unpatentable subject matter. Specifically, the Patent Office alleged that claim 11 is an improper process claim.

Applicant has amended claim 11 to recite "a process comprising manufacturing prefabricated root canal cones." Applicant submits that this rejection is now moot. Reconsideration and withdrawal of the rejection are thus respectfully submitted.

III. Allowable Subject Matter

Claims 1-12 have not been rejected relying upon prior art. Because claims 1, 5, 11 and 12 have been amended to obviate any formalities and to overcome the Patent Office's rejections under 35 U.S.C. §§112 and 101, Applicant submits that claims 1-12 are now in condition for allowance.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-28 are requested.

The Examiner is invited to contact the undersigned at the telephone number below with any questions.

Respectfully submitted,
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